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Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

JEFFREY JOHNSON, JENNIFER  
RIESE, SHAUN SIMMONS, and  
JAMES PURVIS, individually, and on  
behalf of others similarly situated,

HEWLETT-PACKARD COMPANY  
and DOES 1-25 Inclusive,  
  
Defendants.

Case No. 3:09-cv-003596-CRB

**STIPULATION REGARDING ENLARGEMENT  
OF TIME FOR FILING (1) PLAINTIFFS'  
RESPONSE INCLUDING OBJECTIONS TO  
BILL OF COSTS, AND (2) DEFENDANT'S  
MOTION FOR ATTORNEYS' FEES**

Dept.: Courtroom 8, 19<sup>th</sup> Floor  
Judge: Hon. Charles R. Breyer

1           1. On August 22, 2011, Defendant filed an *Ex Parte* Application to Extend Time for Filing  
2 of Defendant's Motion for Attorneys' Fees and Bill of Costs, seeking a fourteen-day enlargement  
3 of time to file its Motion for Attorneys' Fees and Bill of Costs. Plaintiffs did not oppose this  
4 Application and it was granted by the Court.

5           2. On September 1, 2011, Defendant filed its Bill of Costs but moved for a second  
6 enlargement of time, until September 30, 2011, to file its Motion for Attorneys' Fees. This second  
7 request, for an enlargement of time for Defendant's Motion for Attorneys' Fees, was also not  
8 opposed by Plaintiffs, and it was granted on September 9, 2011, allowing Defendant to and  
9 including September 30, 2011, to file any motion for attorneys' fees.

10           3. On September 9, 2011, Plaintiffs requested an enlargement of time to respond,  
11 including file objections to Defendant's Bill of Costs, which was granted. Plaintiffs' response to  
12 Defendant's Bill of Costs is currently due on September 30, 2011.

13           4. On September 27, 2011, Plaintiffs filed their Motion to Defer Consideration of Motions  
14 for Attorneys Fees and Costs Until After Appeal is Completed.

15           5. Further, the Mediation Program of the Ninth Circuit Court of Appeals has set an  
16 Assessment Conference for October 27, 2011 to discuss whether the case is appropriate for the  
17 participation in the Mediation Program. If there is movement towards or settlement of the dispute  
18 at that conference, also within the enlargement of time requested here, then considerable time and  
19 resources would be conserved.

20           6. Defendant's Motion for Attorneys' Fees is currently due September 30, 2011.

21           7. WHEREFORE, both sides stipulate to an extension so that both Plaintiffs' response  
22 including objections to Defendant's Bill of Costs and Defendant's Motion for Attorneys' Fees are  
23 now due October 31, 2011.

1 Dated: September 30, 2011.

2 FRANKLIN D. AZAR & ASSOCIATES, P.C.

3  
4 /s/ Franklin D. Azar

Franklin D. Azar

5 Counsel for Plaintiffs

6  
7 MORGAN, LEWIS & BOCKIUS LLP

8  
9 /s/ Melinda S. Riechert

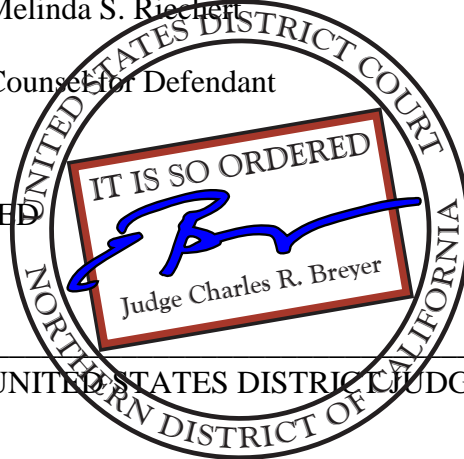
10 Melinda S. Riechert

11 Counsel for Defendant

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13 PURSUANT TO STIPULATION, IT IS SO ORDERED

14  
15 DATED September 30, 2011

16 UNITED STATES DISTRICT JUDGE



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STIPULATION RE ENLARGEMENT OF TIME

Case No. 3:09-cv-003596-CRB, *Johnson, et al., v. Hewlett Packard Co.*